



HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

MONDAY

JULY 18, 2011

7:00 P.M.

• 5:00 pm – FINANCE COMMITTEE MEETING

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

3. COMMUNICATIONS

- a. MDOT – Transit Bonus Award Letter
- b. Email from Janet Hughes to HBA Members & Town Attorney's Opinion

4. REPORTS

- a. Landfill Complaint Report – June 2011
- b. Finance Committee Minutes – 6/20/2011
- c. Infrastructure Committee Minutes – 6/27/2011
- d. Communications Committee Minutes – 6/16/2011

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Application for Victualers License received from Bangor Restaurant, LLC
d/b/a Dunkin Donuts at 76 Main Road North

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

3. UNFINISHED BUSINESS

- a. Water District - Update
- b. SEP Agreement – Chevron/State of Maine/Town
- c. Fire Department Brush Truck Bid Results

NOTE: The Council will take a 5-minute recess at 8:00 pm.

.....
MONDAY
.....

JULY 18, 2011

7:00 P.M.
.....

4. NEW BUSINESS

- a. Maine Municipal Association Annual Election Ballot
- b. Street Acceptance – Lane Subdivision – Sunrise Lane

D. COMMITTEE REPORTS

E. MANAGER'S REPORT

F. COUNCILORS' COMMENTS

G. ADJOURNMENT



Paul R. LePage
GOVERNOR

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

A-3-a

COMMISSIONER

June 24, 2011

Susan Lessard
Town of Hampden
106 Western Avenue
Hampden, Maine 04444

Dear Ms. Lessard:

The Department of Transportation received twenty-eight Transit Bonus certifications for a total of \$2,085,342.29. The total of qualifying certifications for reimbursement exceeded the \$600,000 in annual funding dedicated for the Transit Bonus Payment Program. Therefore, the funds will be apportioned according to the amount of each municipality's increase for qualifying expenditures.

- Amount available is 0.288 % of the total request
- Town of Hampden requested \$26,813; and will receive \$7,744 in FY 2012

The Transit Bonus Payment Program funds will be added and disbursed to the municipalities' allocated URIP amount for FY 2012 paid in the regular URIP process, and used for URIP purposes.

Please call (207)624-3299 if you have any questions regarding this letter.

Sincerely,

Lori Brann
Bureau of Transportation
Systems Planning

Hi Sue,

Per the request of several residents, please include the e-mail below under the Consent Agenda for the next Council meeting.

Thank you.

Enjoy this lovely summer day!

Kristen

From: J Hughes [mailto:jhughes@hughesbrosinc.com]

Sent: Monday, June 13, 2011 9:44 AM

To: 'Ken White'; info@alsafestorage.com; Amanda.LeClair.m2fd@statefarm.com; andrec@roadrunner.com; astew10136@aol.com; anghair2003@yahoo.com; anglers@gwi.net; ken@anglersrestaurant.net; vicki.bessette@bangor.com; bdstar@midmaine.com; rajgant@roadrunner.com; hampdenflorist@tds.net; cmhdbrian@roadrunner.com; c.torrey@tds.net; c.burger@katahdintrust.com; cmaher@camdennational.com; cbrmall@roadrunner.com; cclendenning1@yahoo.com; doc@hampdencomputer.com; cutriclan@yahoo.com; 'Danelle Weston'; 'David Plowman'; Donna.Thompson@deadriver.com; economicdevelopment@hampdenmaine.gov; DebraPlowman@cs.com; dhiggins@hamlinsmarina.com; don.meagher@casella.com; 'Donald J. Poisson'; 'Emil Genest'; jfoster@fosterimaging.com; frostsgarage@tds.net; garryg@roadrunner.com; GoodwinGlassAndGraphics@tds.net; heatmastr42@aol.com; brian@hobouchard.com; jim@kiser-kiser.com; hampdennaturalfoods@live.com; 'Joshua Howes'; 'Keith Bourgoin'; kgendreau@ces-maine.com; khall@anglersrestaurant.net; jwwardwell@laneconstruction.com; ledwards@hannaford.com; Marion@norumbegafinancial.com; martinsprt@aol.com; arnettowntowncouncil@gmail.com; 'Matt Thomas'; mccuelawllc@roadrunner.com; maveryclmb@aol.com; 'Mike Youngblood'; mortgages82@tds.net; kforbush@ocfm.com; perry.speaker@tdstelecom.com; reggie@penbaycs.com; 'Rick Lyons'; rkvariety@roadrunner.com; ronjack@universaldetailing.biz; rpmbuil@aol.com; scissorexcitement@yahoo.com; sdwright@tds.net; zenmax@aol.com; susan.lee@bangor.com; tbryant@camdennational.com; TCamp10614@aol.com; oul@att.net

Subject: Request from Hughes Bros. Dear fellow Hampden Business Association Members, I took on Town Council duties three years ago for 3 reasons 1) Community Service; 2) to get involved; and 3) mostly for a voice among the business community. I've worked very hard the past 5 months in my capacity as Mayor and more recently I've had to cut my hours back at work to attend to Town business, unfortunately mostly damage control. Our Town employees require reassurance, and I am very afraid that our biggest asset, Town Manager, Susan Lessard is at risk. The Town of Hampden is a great community with many wonderful assets....Sue Lessard has kept the budget flat for 3 consecutive years in the most challenging economic environments and even managed to

throw in increased school costs (minimal thanks to SAD22) and Saturday bus service this year. One of her biggest assets is her financial management skills and her work with the landfill was phenomenal. She just doesn't stop...and she has thrown her life into her work (to our benefit). She is a proud woman and should be. There are so many things that could be changed or improved like in any community...but there is a right way, and what is currently happening in Town is NOT the right way. I naively thought the issues with the 2010 Comp Plan could be addressed, only to find that the Comp Plan is just a vehicle to other issues. The Hampden Association of Land Owners (HALO) through Attorney David Crocker and Bernie Philbrick (from personal requests) are now challenging the 2001 Comprehensive Plan, hoping to remove ordinances for the past 10 years and identify damages to associated land owners by way of local government restrictions. A majority council has managed to maintain the BEAR Program and the Recreation planning (related to planned rec fields and re-use options for the new school), through continued opposition. Through Attorney David Crocker, HALO has requested that a moratorium be placed on the Business Expansion and Retention (BEAR) Program in their most recent May correspondence. The current charges from the BEAR program of the Planning and Development Committee is to redevelop the sign ordinances and the development application and review process (to be more business friendly) as YOU have requested. After the last Council Meeting, police had to be called in to stop an altercation from the public with the Council, & Council Bill Shakespeare and Jean Lawlis had to be escorted by police to their cars. Mrs. Lawlis is afraid to come to the Council Meetings and two of the Council won't attend the meetings without the police present. This just isn't right. I hope this is NOT the the kind of government people want. And if so...I dont see my presence of any help. At this point, I could live in my little corners of the Hampden and be quite content. I took on the Mayor position because I thought I could help get things back on track. But to be honest....every time I think I'm turning a corner, it just gets more challenging. I need your help and the Council and Sue Lessard needs to best understand the voice of the people. PleaseI ask that you do two things for me: 1) Vote on Tuesday and encourage your friends, family, and employees to vote; Vote for stability.2) Stop in or call Sue Lessard and tell her what an asset she is to this community. Again thank you. Janet HughesHughes Bros., Inc. Ph: (207) 942-4606Cell: (207) 768-1396

FARRELL, ROSENBLATT & RUSSELL

**ATTORNEYS AT LAW
61 MAIN STREET
P.O. BOX 738
BANGOR, MAINE 04402-0738**

ANGELA M. FARRELL
NATHANIEL M. ROSENBLATT
THOMAS A. RUSSELL
JON A. HADDOW
GREGORY P. DORR
ROGER L. HUBER

TELEPHONE (207) 990-3314
TELECOPIER (207) 941-0239
e-mail: tar@frrlegal.com

M E M O R A N D U M

Date: June 14, 2011
To: Susan Lessard
From: Tom Russell
Re: Code of Ethics Issue

I have reviewed Janet Hughes' email that is in question, as well as Section 4 of the Code of Ethics. Since Section 4 places restrictions on the First Amendment rights of free speech under the United States Constitution, it must be narrowly construed as to its scope, and any ambiguity must be resolved in favor of a person's rights under the First Amendment.

As I see it, the pertinent parts of Section 4 at issue in this matter are the following provisions:

"... no town employee, town councilor, committee member, board member or commission member may use his or her official authority or position for the purposes of influencing or interfering with or affecting the results of any election for public office..."

"Nothing herein shall be construed to prohibit any town employee, town councilor, committee member, board member or commission member from participating in the political process in their private capacity as candidates for elected office or as private citizens." (*Emphasis supplied.*)

It is my opinion that Section 4 was intended to prohibit the Town, through its employees or officials, from taking official positions, such as endorsements, pronouncements at meetings, or conducting campaign activities in Town facilities, concerning elections for public office. The first provision of Section 4 quoted above references use of official authority or position, and the Section 4 prohibition on the distribution of handbills or pamphlets applies only while the employee or official "is performing official functions or duties on behalf of the Town." Those provisions on their

face do not include a prohibition on an employee or official acting as an individual in the political process concerning an election for public office. In fact, the second provision of Section 4 quoted above expressly provides that employees or officials have the right to participate in the political process in their capacity as private citizens.

The email in question was sent from a private email address, and the subject was listed as "Request from Hughes Bros." It was not sent from the email account used by Janet Hughes for town business. The greeting of the email was addressed to "fellow Hampden Business Association Members," and the email was "signed" by "Janet Hughes Hughes Bros., Inc." Although the email certainly discussed her experience as a councilor and mayor and expressed her opinions and frustrations about recent events in Hampden, it is my opinion that the correspondence ultimately represents her participation in the political process in her capacity as a private citizen, which is permitted under Section 4. The email does not constitute a use of her "official authority or position" under Section 4. As I stated above, Section 4 must be narrowly construed because it implicates the First Amendment rights of Town employees and officials, and therefore I do not believe it would be appropriate to construe Section 4 to mean that a sitting councilor cannot participate in the political process as a private citizen, even if that involves an election for public office. In fact, Section 4 permits such activity.

July 8, 2011

Susan Lessard
Town Manager
Town of Hampden
106 Western Avenue
Hampden, Maine 04444

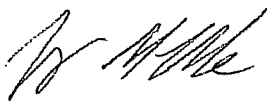
**RE: Pine Tree Landfill
Monthly Report of Landfill Complaints**

Dear Susan:

During the Month of June 2011, no complaints were received pertaining to Pine Tree Landfill.

If you should require any additional information, please feel free to contact me at 862-4200, ext. 233.

Sincerely,



Jeremy Labbe
Engineer & Environmental Manager
Pine Tree Landfill

CC: Cyndi Darling, MDEP
Wayne Boyd, Casella Waste Systems, Inc.
Don Meagher, Casella Waste Systems, Inc.
Toni King, Casella Waste Systems, Inc.

FINANCE COMMITTEE MEETING
Monday, June 20, 2011

Attending:

Councilor Kristen Hornbrook
Councilor Jean Lawlis
Councilor William Shakespeare
Councilor-Elect Shelby Wright

Mayor Janet Hughes
Councilor Tom Brann
Councilor Andre Cushing
Town Manager Sue Lessard

1. Minutes of June 6, 2011 meeting – Motion by Councilor Shakespeare, seconded by Councilor Lawlis to approve the minutes with no changes or corrections. Unanimous vote.
2. Review of Warrants – The warrants presented lacked only the signature of Councilor Cushing. He signed them as presented.
3. Old Business
 - a. Maine Power Options – Fuel Bid Results – The Town Manager reported that the Maine Power Options bid process for fuel resulted in the award of the contract to RH Foster for a low bid price of rack plus 14.90 cents per gallon. The new contract will begin on July 1, 2011. The town will have the opportunity, if the price goes down, to lock in at a fixed price later in the season.
 - b. Update – MDOT Sidewalk Grant – The Town Manager reported that the MDOT TIP (Transportation Improvement Program) included \$8,000 for engineering related to the sidewalk continuation from where it ends on Western Avenue to Mayo Road. This would indicate that the Town may be successful in the grant application made to MDOT for the continuation of that sidewalk.
4. New Business
 - a. Lights at the Marina Parking Lot – The Town Manager presented a report provided by Paul Philbrick of ELCO Electric as to the condition of the lights around the parking lot at the Marina. The condition is such that repair is no longer a feasible option. The subject was referred to the Infrastructure Committee for investigation and a recommendation at their meeting on Monday, June 27th.
5. Public Comment - None
6. Committee Member Comments
 - Councilor Shakespeare asked if the grant applications filed for the Western Avenue sidewalk required that the Town have a Comprehensive Plan. The Manager replied that the two applications went to two different entities and that she was sure that at least one of them did not – and that the other one may have, but she would check and report back on that at the next meeting.

- Councilor Hornbrook asked whether the Town had information on when Dunkin Donuts would be opening. The Manager reported that she did not have that information at this time.
- Councilor Cushing reported that it was his intention to continue discussions with MDOT and the Department of Education related to a sidewalk extension from the 202/9 intersection at least as far as Roe Village.
- The Town Manager reported that the \$50,000 for wetland mitigation by MSAD #22 had not been invoiced by the town because the legal document related to exactly what was being transferred has not be provided.

Motion by Councilor Hughes, seconded by Councilor Lawlis to adjourn at 6:45 p.m. Unanimous vote.

Respectfully submitted,

Susan Lessard
Town Manager

INFRASTRUCTURE COMMITTEE MEETING MINUTES

Monday, June 27, 2011

Attending:

Councilor William Shakespeare
Councilor Jean Lawlis
Councilor Tom Brann
Councilor Shelby Wright
Mayor Janet Hughes

Town Manager Sue Lessard
Public Works Dir. Chip Swan

1. Minutes of 5/23/2011 – Motion by Councilor Brann, seconded by Councilor Lawlis to approve. Unanimous vote.
2. Old Business
 - a. Permission to bid – 2 One Ton Trucks – Motion by Councilor Lawlis, seconded by Councilor Brann to authorize the Public Works Director to advertise for 2 – one ton 4-wheel drive vehicles. Unanimous vote.
 - b. Marina Parking Lot Lights – The Town Manager reported to the Committee that the Town had Elco Electric investigate the condition of the parking lot lights at the marina after a complaint was made by the owner of the restaurant who is a tenant of Hamlin Marine's that they were not working. Investigation shows that the lights are not hooked up, and have not been hooked up for a number of years. In addition, the wiring and lights themselves are outdated and damaged. The public use of the dock and parking lot ends at dusk. The problem cited is due to the fact that the tenant of Hamlin is open later than dusk. Since this condition has existed since before Hamlin's entered into the lease, there can be no expectation that the Town would expend funds to add lights now. In addition, the Town and Hamlin will likely be doing a 'land swap' of parcels in the near future and further investment in the current site by the Town is not warranted. Motion by Councilor Brann, seconded by Councilor Wright to take no action on this item. Unanimous vote.
 - c. Streetlight Request – Jay's Way – It was the consensus of the Committee to refer this item back to the Police Department for further information as to how this request meets the considerations listed in the Town's streetlight policy.
3. New Business
 - a. No Engine Brake Request – Waterworks Hill – The Town currently has a No Engine Braking policy in Town limits. It was the consensus of the Committee to have signs indicating this at all entrances to the community.
4. Public Comment – None

5. Committee member comments –

Councilor Hughes – Reminded the Committee that Infrastructure was assigned to look at the issue of the Water District and whether the Town should consider annexing it. Discussed the idea that the school redevelopment could be done in a manner similar to what Orono has done with a brownfield redevelopment in that community. Suggested that the School Re-use Committee be asked to meet with Planning and Development.

Councilor Shakespeare – Questioned the Public Works Director in regard to North County Road and its condition. The Public Works Director will report back to the Committee. Councilor Shakespeare also discussed the Council policy on transfer station use in regard to the size of trailers allowed.

Councilor Lawlis reported that she would be absent from meetings for the next ten days to two weeks due to family matters.

The Public Works Director reported that Sunrise Lane would be on the next Council meeting agenda for acceptance and that he had attended a meeting in regard to the Route 1A project on June 21st and that the Town would be receiving an estimate on what the inclusion of a sidewalk in that project would cost.

The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Susan Lessard
Town Manager

COMMUNICATIONS COMMITTEE MEETING MINUTES
June 16, 2011

Attending:

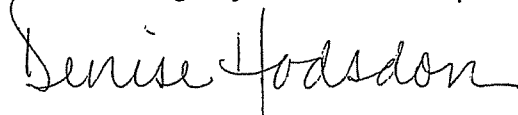
Councilor Kristen Hornbrook
Councilor Jean Lawlis
Town Clerk Denise Hodsdon

Sally Leete

The meeting was opened at 6:05 p.m. by Co-Chair Councilor Hornbrook. There was a quorum present, however Manager Lessard and Councilor Cushing were unavailable to give updates on their agenda items.

Motion by Councilor Lawlis, seconded by Councilor Hornbrook to postpone all agenda items until the next meeting on Thursday, July 21, 2011.

The meeting adjourned at 6:07 p.m.

A handwritten signature in cursive script that reads "Denise Hodsdon".

Denise Hodsdon
Town Clerk



C-1-a

TOWN OF HAMPDEN
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 7/18/2011

Public Hearing: Yes X No

- ☐ Application for Liquor License
☒ Application for Victualer's License
☐ Application for Off-premises Catering
☐ Application for Outdoor Wood-burning Furnace License

Bangor Restaurant, LLC
NAME: d/b/a Dunkin Donuts
Business Name Individual

ADDRESS: 76 Main Rd. North PHONE: 862-2771

MAP/LOT: 32/22 DATE: 7/5/2011

DEPARTMENT REPORT:

Appears to be in compliance with the Town of
Hampden Victualer's Ordinance.

DATE: 7/12/11

BY: Ben Jh
Title: CODE ENFORCEMENT OFFICER

BY: Daniel A. Pigeon
Title: FIRE/BUILDING INSPECTOR

TOWN OF HAMPDEN, MAINE

APPLICATION FOR VICTUALER'S LICENSE

DATE: 6/29/11 PHONE NUMBER: 207-862-2771

NAME(S): David Catva

ADDRESS: 1000 OSGOOD STREET, NO. ANDOVER MA 01845

NAME OF BUSINESS: Bangor Resturant LLC (d/b/a Dunkin Donuts)

LOCATION OF BUSINESS: 76 MAIN Road North, Hampden ME 04444

SIGNATURE: David Catva

(FOR TOWN USE ONLY)

*This facility has been inspected and meets ordinance criteria.

Ben Jr
Code Enforcement Officer

Daniel Hingsley
Fire Inspector/Building Inspector

*All sewer user fees and personal property taxes are paid in full to date.

Cheryl M Johnson
Tax Collector

Chris M Lussan
Town Treasurer

Please return completed form to: **Town Clerk**
Town of Hampden
106 Western Avenue
Hampden, ME 04444

LICENSE FEE: \$125.00 Date Received/Fee Paid: 7/5/2011 1 \$125.00
(Fee Includes Notice of Public Hearing)

SIGMUND D. SCHUTZ
sschutz@preti.com
Direct Dial: (207) 791-3247

July 1, 2011

Dean Bennett
Community and Economic Development Director
Town of Hampden
106 Western Avenue
Hampden, ME 04444

Re: Chevron Turtle Head Cove Municipal Park SEP

Dear Dean:

Please find enclosed two original Turtle Head Cove Municipal Park, Supplemental Environmental Project - Memoranda. Both have been signed by a representative of Chevron.

Once approved, please return one executed original back to me.

Thank you.

Very truly yours,



Sigmund D. Schutz

SDS/jac
Enclosures

TURTLE HEAD COVE MUNICIPAL PARK SUPPLEMENTAL ENVIRONMENTAL PROJECT

Name of Project:

Turtle Head Cove Municipal Park

Project Description:

The project would preserve the last remaining parcel of undeveloped shoreline in the greater Bangor region. The project would create a 12.3 acre public park in the Town of Hampden located on a unique and important peninsula at the confluence of the Penobscot River and Sucker Brook known as Turtle Head Cove. The project includes 8.5 acres to be purchased from a private landowner (Tax Map 27, Lot 31) along with 3.8 acres already owned by the Town along a Penobscot tributary, Sucker Brook. The project has an existing access road and is adjacent to an existing municipal boat launch.

The Maine Department of Environmental Protection's Supplemental Environmental Project ("SEP") Policy (the "SEP Policy") allows projects that "enhance the natural environmental, or use and enjoyment of the environment, in the ecosystem or geographic area affected by the violation . . . includ[ing] restoration, purchase, improvement, and preservation of lands in the affected ecosystem." The project offers the following benefits within this rubric:

1. *Preserve waterfront acreage.* The centerpiece of the project is acquisition of 8.5 undeveloped acres presently zoned for commercial use, which is to be added to 3.8 adjacent acres already owned by the Town along Sucker Brook, a tributary to the Penobscot. The property is presently undeveloped, but is zoned within the Commercial Service district, which allows heavy commercial use, office buildings, automotive service, convenience stores, motels, restaurants, and light industrial uses. The developable building envelope is 4.3+/- acres (roughly 51% of the total property area). The preservation of the property will benefit adjacent Sucker Brook, which does not meet water quality standards and has been identified for listing as an urban impaired stream under the Clean Water Act. The property also protects a mapped Sand & Gravel Aquifer, which underlies the northern portion of the property. The property includes wetlands, tidal flats, woods, and meadows. A conservation easement would be put in place to permanently protect the property.
2. *Preserve critical habitat.* The property contains 4,098 +/- linear feet of waterfront along the River and Sucker Brook. The property also contains an identified water fowl and wading bird habitat. The property is along a stretch of River that contains habitat for Shortnose Sturgeon and Atlantic Salmon, both of which are endangered species. The shoreline in the vicinity of the project contains bald eagle nesting sites, and serves as a robust wildlife habitat supporting many species of fish-eating birds such as osprey, merganser, cormorant, herons, coot, grebe, gulls, and belted kingfisher.

3. *Enhance use and enjoyment of the environment.* There are no other places in the Town that afford similar opportunities to enhance use and enjoyment of the environment, a key goal of the Town's Comprehensive Plan. The project would include the following enhancements:

- Install a trail system to provide access to the property, including scenic views of Turtle Head Cove and along the Penobscot River.
- Provide signage to enhance public use and enjoyment of the property and provide environmental education by, for example, identifying bald eagle habitat, salmon or sturgeon habitat and life cycle information, wading birds, wetland functions, brook ecosystem, Sucker Brook water quality issues, and site history.
- Build a canoe/kayak launch along Sucker Brook at a location with slow current and shallow water. The conceptual design is for a timber/step access that would allow canoes and kayaks to be manually walked down from the parking area to the access point.
- Construct parking area to accommodate 33 automobile spaces and 31 vehicle/trailer spaces and improve circulation for pedestrian and vehicular safety. It is anticipated that all parking spaces will be occupied in summer months.
- Replace a floating dock at the adjacent municipal boat launch.

The SEP Policy also identifies environmental awareness and public health projects as acceptable SEPs. The project offers environmental awareness benefits through environmental education by providing trail signage. The project offers public health benefits by providing outdoor recreational opportunities to the community at and along the River.

Finally, the project offers important economic benefits, including job creation, business expansion and retention. The project is expected to be an important attraction drawing visitors and tourists to Town, and will also provide opportunities for the adjacent Hamlin's Marina, an important local business, to expand and enhance its public facilities as a result of increased demand. In conjunction with the project, the Town would sell to Hamlin's the adjacent developed land now leased to Hamlin's, which will allow Hamlin's to make capital improvements to its already substantial investment.

Project Implementers:

Dean Bennett, Community and Economic Development Director
Town of Hampden
106 Western Ave.
Hampden, ME 04444

Dan Higgins
Hamlin's Inc.
100 Marine Rd.
Hampden, ME 04444

Andrew Flint, Environmental Specialist
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017

Peter Kasbohm
Chevron U.S.A. Inc.
4800 Fournace Pl. E522A
Bellaire, TX 77401

Geographic Area to Benefit the Project:

The project is located within the Town of Hampden and benefits the Penobscot River, Turtle Head Cove, and Sucker Brook.

Enforcement Action:

The supplemental environmental project is being funded as an element of a Consent Decree negotiated between the Maine Department of Environmental Protection and Chevron Environmental Management Company to resolve the notice of violation issued January 20, 2010 (Docket No. 2007-061-O-B) pursuant to 38 M.R.S. § 349(2-A).

Type of Project:

The project qualifies as an environmental enhancement project pursuant to 38 M.R.S. § 349(2-A)(3). The project is also an environmental awareness project and a public health project pursuant to 38 M.R.S. §§ 349(2-A)(4), (7).

Existing Regulatory Requirements:

The project may require local site plan approval and a Natural Resources Protection Act permit for any boat launch.

Total Project Budget:

The Maine DEP is providing penalty funds of \$520,000 to support this SEP. The project funds will be allocated as follows:

Property Acquisition: \$250,000

Chevron has acquired an assignable option to purchase the property for \$250,000. A conservation easement will be recorded to protect the property in perpetuity.

Parking Area Construction: \$150,000

To enable public access to the park, consistent with the goal stated in the SEP's Policy of facilitating enhanced use and enjoyment of the environment, it is necessary to provide a parking area. The public parking component of the plan should not be considered in isolation. Instead, public parking is an integral part of the project as a whole, without which it is not possible to offer public access to the resource. The parking area will be designed to limit stormwater impacts.

Canoe/Kayak Launch: \$30,000

The canoe/kayak launch along Sucker Brook will facilitate low impact recreational opportunities to use and enjoy the environment not otherwise readily available to the public.

Trails & Signage: \$40,000

Trails and signage facilitate enhanced use and enjoyment of the parcel and environmental educational opportunities.

Floating Boat Dock Replacement \$50,000

The floating boat dock replacement at the existing municipal boat ramp requires replacement.

Project Schedule:

The project schedule starts from the date of entry of a Consent Order.

Property Acquisition:	60 days
Parking Area Construction:	120 days
Canoe/Kayak Launch:	120 days
Trails and Signage:	120 days

Expected Project Benefits:

As described in detail above, the project will preserve waterfront acreage, preserve critical habitat, and enhance use and enjoyment of the environment. The project also offers environmental awareness and public health benefits.

Reporting:


The Town of Hampden will submit a report at the conclusion of the project containing the following information:

1. A description of project implementation
2. Photos of initial condition
3. Photos of final condition
4. A copy of conservation easement
5. Design plans/sketches as proposed
6. Itemization of costs and materials
7. Total costs incurred

Certification:

Chevron Environmental Management Company certifies that this proposed SEP project is not the result of substantive planning that occurred prior to this enforcement action.

CHEVRON ENVIRONMENTAL MANAGEMENT COMPANY

BY: 
ITS: President

DATE: 21 June 2011

Recipient Agreement:

For and in consideration of the payments received in connection with the supplemental environmental project described herein, the Town of Hampden agrees to perform, or be responsible for obtaining performance of, the services and projects described in this document pursuant to the terms set forth herein. The Town further agrees that this constitutes a binding agreement between itself and the Maine Department of Environmental Protection and that the Department may take all appropriate actions to enforce the terms of this agreement.

TOWN OF HAMPDEN

BY: _____
ITS: _____

DATE: _____

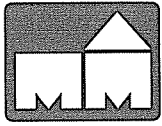
C-3-C

TOWN OF HAMPDEN

**BRUSH TRUCK
BID SHEET**

June 15, 2011
12:00 PM

BIDDER	BID AMOUNT
Fire Tech & Safety of New England	\$111,463.00
Southern Fire Service & Sales	\$125,683.00



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

C-4-a



TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: Mark Green, MMA President
Town Manager, Town of Sanford

DATE: July 5, 2011

SUBJECT: MMA Annual Election - Vice President and Executive Committee Members

Deadline: Friday, August 12, 2011 by 12:00 noon

Each year member municipalities have an opportunity to vote on the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee is appointed to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying and interested in serving as the MMA Vice President. The MMA Nominating Committee completed its task to put forth a Proposed Slate of Nominees for 2012. This information was mailed to member municipalities along with information on the petition process as established in the MMA Bylaws. ***It is now time for each member municipality to cast its vote.***

Enclosed you will find the MMA Voting Ballot which includes the Slate of Nominees to serve on the MMA Executive Committee as proposed by the MMA Nominating Committee. There were no municipal officials nominated by petition. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference.

The MMA Voting Ballot must be signed by a majority of the municipal officers or a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association as noted above. We have enclosed a self-addressed self-stamped envelope for your convenience. The MMA Voting Ballots will be counted and the election results confirmed under my direction as President of the Association.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at www.memun.org on Friday, August 12, after 4:00 p.m. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held ***Thursday, October 6, at 8:00 a.m., at the Augusta Civic Center.*** Newly elected Executive Committee members will be introduced at the MMA Annual Business Meeting and formally take office on January 1, 2012.

If you have any questions on this information or the election process, please contact Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at tchavarie@memun.org. Thank you.



MAINE MUNICIPAL ASSOCIATION VOTING BALLOT

Election of Vice President and Executive Committee Members
Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 12, 2011



VICE-PRESIDENT - 1 YEAR TERM

Vote for One

Proposed by MMA Nominating Committee:

Stephan Bunker, Chair of Selectmen, Town of Farmington

☐

DIRECTORS - 3 YEAR TERM

Vote for Three

Proposed by MMA Nominating Committee:

Errol "Abe" Additon, Selectman, Town of Leeds

☐

Burmond Banville, Selectman, Town of Saint Agatha

☐

Laurie Smith, Town Manager, Town of Wiscasset

☐

PLEASE NOTE: *The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.*

Date: _____

Municipality: _____

Signed by a Municipal Official designated by a majority of Municipal Officers:

Print Name: _____

Signature: _____

Position: _____

OR Signed by a Majority of Municipal Officers

Current # of Municipal Officers: _____

Print Names:

Signatures:

MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
FAX: (207) 626-3358 or 626-5947

**MAINE MUNICIPAL ASSOCIATION
EXECUTIVE COMMITTEE**

**BIOGRAPHICAL SKETCH OF
PROPOSED SLATE OF NOMINEES FOR 2012**

MMA VICE PRESIDENT (1-Year Term)

STEPHAN BUNKER

- 40 +years in public sector @ federal/military, state, county and municipal levels
- Selectman, Town of Farmington, chairman (20 + yrs, last 4 1/2 years)
- Maine Municipal Association Executive Committee, Member (2007 – present)
- Maine Municipal Association Strategic & Finance Committee (2008, present)
- Maine Municipal Association Property & Casualty Pool Board of Directors, Member (2007 – present)
- Maine Municipal Association Workers Compensation Fund Board of Trustees, Member (2007 – present)
- Member, Franklin County Elected Officials Association
- Current Member, Franklin County Budget Committee (8 + years)
- Past Member, Citizen's Budget Committee, (10 yrs) 5 as Chairman
- Past Member, SAD#9/SAD#58 School Consolidation Planning Committee
- Current member, Farmington Fire & Rescue Department (30 + years)
- Past President, Franklin County Firefighters Association
- Governor Appointee, Maine Fire Protection Services Commission (6 + yrs)
- Adjunct Instructor – Maine Fire Training & Education, SMCC (25 yrs)
- 2009 “9-1-1 Trainer of the Year” awarded by Association of Public Safety Communications Officials, International
- Active duty, US Army Military Police Specialist, K-9s (3 yrs)
- US Coast Guard Reserves, Environmental protection & maritime casualty investigations, retired as Lt. Commander (23 yrs)
- Former Emergency Medical Technician-Basic (10 years)
- Police Officer, Town of Farmington PD (1972-74) full time
- Staff, Maine Criminal Justice Academy – Waterville (4 years)
- Juvenile Crisis Counselor, SAD # 9 Farmington (2 years)
- Emergency Dispatch/Corrections Supervisor, Franklin County (3 years)
- Executive Director, Maine Sheriffs Association, (3 years)
- Masters in Adult Education, University of Maine, Orono (1977)
- Bachelors of Science in Criminal Justice, minor in Sociology, University of Maine, Orono (1974)
- Associate Degree, Law Enforcement Technology, Southern Maine Technical College (1972)
- Maine Criminal Justice Academy Certifications – Corrections Officer, Reserve Officer, Instructor
- Maine Fire Service Training & Education Certifications – Fire Fighter Levels I & II, Instructor, Fire Officer
- William Twarog Memorial- State Government Manager of the Year (1994)

MMA EXECUTIVE COMMITTEE MEMBERS (Three 3-Year Terms)

ERROL “ABE” ADDITON

- Selectman, Town of Leeds (1998 - present)
- Maine Municipal Association Executive Committee, Member (2007 – present)
- Maine Municipal Association Strategic & Finance Committee (2008, present)
- Maine Municipal Association Property & Casualty Pool Board of Directors, Member (2007 – present)
- Maine Municipal Association Workers Compensation Fund Board of Trustees, Member (2007 – present)
- Maine Municipal Association Legislative Policy Committee, Member (2006 – present)
- MMA Legislative Policy Committee -- Rural-Urban Subcommittee (2006)

- **ERROL “ABE” ADDITON (continued)**
- Director, School Administrative District #52 (7 years)
- School Board, Member
- School Budget, Member
- Moderator, Town Meeting, Town of Leeds
- University of Maine (2 years)
- Missouri Auction School, graduate
- Lifetime Dairy Farmer, Maine Dairyman of the Year Recipient
- Auctioneer (28 years)
- Project Graduation Leavitt Area High School
- Maine Harness Racing Commission, chairman (5 years)

BEURMOND BANVILLE

- Selectman, St. Agatha (2008 to present)
- Member and Secretary of the Northern Aroostook Regional Airport (2008-2009)
- Member Northern Aroostook Regional Incinerator Facility (2008 to present)
- Maine Municipal Association Nominating Committee (2010)
- Maine Municipal Association Legislative Policy Committee (2008-2010)
- President and member of the University of Maine at Fort Kent Alumni Association (2008 to present)
- Member University of Maine at Fort Kent Foundation (2008 to present)
- Biathlon World Cup, Fort Kent, Media Chair (2010-2011)
- Can-Am Crown Sled Dog Races, board of directors and Media Chair (2008 to present)
- University of Maine at Fort Kent, recruitment committee (2010-2011)
- Frenchville Planning Board, member and chairman (1973-1976)
- Frenchville Recreation Committee, member and chairman (1973-1976)
- St. Luce Parish Council, Frenchville, chairman (1984-1992)
- St. Luce 150th Anniversary, chairman (1992-1993)
- Frenchville Citizen of the Year (1994)
- Boy Scouts of America, adult leader (1984 to present)
- Knights of Columbus, member since (1970) Officer, locally and at state level, throughout the period.
- Graduate Community High School at Fort Kent (1972)
- Bachelors Degree, University of Maine at Fort Kent (1970)
- Journalist, Bangor Daily News (1972-2007) covered all aspects of life in northern Maine. Bureau Chief of BDN's St. John Valley Bureau (1972-2007)

LAURIE SMITH

- Town Manager, Town of Wiscasset (2010 – present)
- Assistant Manager/Community Relations/Finance Director, City of Auburn (2005– 2010)
- Interim City Manager, City of Auburn (2007 –2008)
- Acting Finance Director, City of Auburn (2004 – 2005)
- Town Manager, Town of Boothbay Harbor (1994-1999)
- Town Manager, Town of Oxford (1991-1994)
- Town Manager, Town of Boothbay (1988-1989)
- Maine Town & City Management Association, Member (199-present); Board member (2000-2005); President (2003-2004)
- Paralegal, various law firms in Portland, Maine (1986 – 1988)
- University of Maine, Orono, Public Administration, B.A. (1986)
- Continuing education and professional development through University of Maine, Maine Municipal Association, Maine Town & City Management Association, Maine Local Roads Center and International City Management Association (1988 – 2008)

C-4-b



TOWN OF HAMPDEN
DEPARTMENT OF PUBLIC WORKS

106 WESTERN AVE.
HAMPDEN, ME 04444

TEL 862-3337

FAX 862-3910

July 13, 2011

To: Sue Lessard
From: Chip Swan
Subject: SUNRISE LANE

I have inspected Sunrise Lane and found it to be acceptable for a town way.

Yours truly,

Chip Swan, PWD



Denise Hodsdon <clerk@hampdenmaine.gov>

Dance Hall Subdivision

1 message

Thomas A. Russell <tar@frrlegal.com>

Thu, Jul 14, 2011 at 2:11 PM

To: Denise Hodsdon <clerk@hampdenmaine.gov>

Cc: Susan Lessard <manager@hampdenmaine.gov>, Robert Osborne <planner@hampdenmaine.gov>, "Edmond J. Bearor" <ebearor@rudmanwinchell.com>

Denise: Attached is the Warranty Deed for the road, the Warranty Deed for the .96 acre open space parcel, and the Easement for the stormwater catch basin that I received this morning. I have reviewed the documents and compared them to the recorded plan, and I find the documents to be satisfactory. Tom

3 attachments

WARRANTY DEED - ROW LANE TO TOWN OF HAMPDEN road 07 14 2011.pdf
64K

WARRANTY DEED - LANE TO HAMPDEN open space parcel 07 14 2011.pdf
24K

EASEMENT LANE TO TOWN OF HAMPDEN - CARVER ROAD 07 14 2011.doc
24K

WARRANTY DEED

THE LANE CONSTRUCTION CORPORATION, a Connecticut corporation having a place of business in Bangor, Penobscot County, Maine, and having a mailing address of 90 Fieldstone Court, Cheshire, Connecticut 06410, as a gift, grants to TOWN OF HAMPDEN, a Municipal Corporation under the laws of the State of Maine, with a mailing address of 106 Western Avenue, Hampden, Maine, 04444, with Warranty Covenants the following lot or parcel of land situated in Hampden, Penobscot County, State of Maine, more particularly described as follows:

See Exhibit A attached hereto.

Said Premises are conveyed for highway purposes pursuant to 23 MRSA § 3025. The Grantor voluntarily conveys this property to Grantee without claim for damages.

The Grantee's mailing address is 106 Western Avenue, Hampden, Maine 04444.

WITNESS my hand and seal this ____ day of _____, 2011.

WITNESS:

THE LANE CONSTRUCTION CORPORATION

By: _____

Name: _____

Title: _____

Hereunto Duly Authorized

STATE OF MAINE
PENOBSCOT COUNTY

_____, 2011

Then personally appeared the above-named _____ in his aforesaid capacity, and acknowledged the foregoing instrument to be his free act and deed in said capacity, and the free act and deed of The Lane Construction Corporation.

Before me,

Notary Public/Attorney-at-Law

**REAL PROPERTY DESCRIPTION
RIGHT OF WAY
THE LANE CONSTRUCTION CORPORATION
HAMPDEN, PENOBSCOT COUNTY, MAINE**

A certain lot or parcel of land with the improvements thereon situated in Hampden, Penobscot County, State of Maine, more particularly described as follows:

Beginning at the northeasterly corner of lands described in a deed from Patricia S. Carver to Tricia Ann Carver dated February 24, 2006, and recorded in the Penobscot County Registry of Deeds Book 10329, Page 207; thence along lands of said Carver, South 39 degrees, 35 minutes, 20 seconds East, a distance of 4.00 feet to a 1 inch diameter iron rod found; thence continuing along lands of said Carver South 39 degrees, 35 minutes, 20 seconds East, a distance of 164.90 feet to a 1 inch diameter iron rod found; thence through of lands described in a deed from Edgar J. and Lillian M. Nickerson to The Lane Construction Corporation dated October 26, 1955, and recorded in the Penobscot County Registry of Deeds Book 1506, Page 264, South 39 degrees, 35 minutes, 15 seconds East, a distance of 65.12 feet to a point; thence through of lands of said Lane Construction Corporation on a tangential curve to the left with an arc length of 59.81 feet and a radius of 233.00 feet to a point; thence through of lands of said Lane Construction Corporation, South 54 degrees, 17 minutes, 45 seconds East, a distance of 26.44 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation, South 54 degrees, 17 minutes, 45 seconds East, a distance of 125.17 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation, South 54 degrees, 17 minutes, 45 seconds East, a distance of 125.00 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation, South 54 degrees, 17 minutes, 45 seconds East, a distance of 125.00 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation, South 54 degrees, 17 minutes, 45 seconds East, a distance of 125.00 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation, South 54 degrees, 17 minutes, 45 seconds East, a distance of 64.27 feet to a point; thence through of lands of said Lane Construction Corporation on a tangential curve to the left with an arc length of 63.07 feet, and a radius of 133.00 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation on a tangential curve to the left with an arc length of 135.84 feet, and a radius of 133.00 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation on a tangential curve to the left with an arc length of 10.57 feet, and a radius of 133.00 feet to a point; thence through of lands of said Lane Construction Corporation, North 35 degrees, 27 minutes, 40 seconds East, a distance of 82.82 feet to a point; thence through of lands of said Lane Construction Corporation on a tangential curve to the right with an arc length of 17.17 feet and a radius of 25.00 feet to a point; thence through of lands of said Lane Construction Corporation on a tangential curve to the left with an arc length of 23.73 feet and a radius of 50.00 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation on a tangential curve to the left with an arc length of 89.16 feet and a radius of 50.00 feet to a three-

quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation on a tangential curve to the left with an arc length of 112.89 feet and a radius of 50.00 feet to a point; thence through of lands of said Lane Construction Corporation on a tangential curve to the right with an arc length of 17.17 feet and a radius of 25.00 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation, South 35 degrees, 27 minutes, 40 seconds West, a distance of 82.82 feet to a point; thence through of lands of said Lane Construction Corporation on a tangential curve to the right with an arc length of 105.53 feet and a radius of 67.00 feet to a point; thence through of lands of said Lane Construction Corporation, North 54 degrees, 17 minutes, 45 seconds West, a distance of 84.45 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation, North 54 degrees, 17 minutes, 45 seconds West, a distance of 131.43 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation, North 54 degrees, 17 minutes, 45 seconds West, a distance of 125.00 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation, North 54 degrees, 17 minutes, 45 seconds West, a distance of 125.00 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation, North 54 degrees, 17 minutes, 45 seconds West, a distance of 125.00 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation on a tangential curve to the right with an arc length of 42.87 feet and a radius of 167.00 feet to a point; thence through of lands of said Lane Construction Corporation, North 39 degrees, 35 minutes, 15 seconds West, a distance of 119.98 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through of lands of said Lane Construction Corporation, North 39 degrees, 35 minutes, 15 seconds West, a distance of 111.77 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set on the southeasterly sideline of Route 1A; thence along the southeasterly sideline of Route 1A, South 51 degrees, 22 minutes, 00 seconds West, a distance of 14.43 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence along the southeasterly sideline of Route 1A, South 52 degrees, 38 minutes, 40 seconds West, a distance of 51.60 feet to the point of beginning, enclosing 1.87 acres, more or less.

The above described parcel is a portion of lands described in a deed from Edgar J. and Lillian M. Nickerson to The Lane Construction Corporation dated October 26, 1955, and recorded in the Penobscot County Registry of Deeds Book 1506, Page 264.

Bearings are oriented to the Maine Coordinate System of 1983, East Zone by a traverse done by Plisga & Day Land Surveyors in 2006. A scale factor of 1.000093 was applied to the grid distances to convert them to ground distances used in this description.

Clark Staples
12-31-07

WARRANTY DEED

THE LANE CONSTRUCTION CORPORATION, a Connecticut corporation having a place of business in Bangor, Penobscot County, Maine, and having a mailing address of 90 Fieldstone Court, Cheshire, Connecticut 06410, as a gift, grants to TOWN OF HAMPDEN, a Municipal Corporation under the laws of the State of Maine, with a mailing address of 106 Western Avenue, Hampden, Maine, 04444, with Warranty Covenants the following lot or parcel of land situated in Hampden, Penobscot County, State of Maine, more particularly described as follows:

Beginning at a three-quarter inch diameter rebar with identification cap labeled 2332 to be set on the northerly line of lands described in a deed from Edgar J. and Lillian M. Nickerson to The Lane Construction Corporation dated October 26, 1955, and recorded in the Penobscot County Registry of Deeds Book 1506, Page 264, and the southerly line of Carver Road, so called, as shown on a "Plan of Columbia Hights" recorded in the Penobscot County Registry of Deeds Map File 8, Page 32, said rebar bearing South 54 degrees, 32 minutes, 20 seconds East, a distance of 184.10 feet from a three-quarter inch diameter rebar with identification cap labeled 2332 to be set on the northeasterly corner of lands described in a deed from John A. and Rosalie S. Gallant to John A. Jr. and Susan C. Gallant dated March 4, 2002, and recorded in the Penobscot County Registry of Deeds Book 8102, Page 243; thence along the northerly line of said Lane Construction Corporation, the southerly line of Carver Road, and crossing a 12 foot wide right of way as shown on a "Plan of Columbia Flights" recorded in the Penobscot County Registry of Deeds Map File 8, Page 32, South 54 degrees, 32 minutes, 20 seconds East, a distance of 197.90 feet to a point; thence through the lands of said Lane Construction Corporation South 54 degrees, 32 minutes, 20 seconds East, a distance of 65.45 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through the lands of said Lane Construction Corporation South 34 degrees, 33 minutes, 16 seconds West, a distance of 167.25 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through the lands of said Lane Construction Corporation North, 54 degrees, 32 minutes, 20 seconds West, a distance of 217.12 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set on the edge of a right of way; thence through the lands of said Lane Construction Corporation and along the edge of said right of way on a curve to the left with an arc length of 89.16 feet, a radius of 50.00 feet, a chord bearing of North 03 degrees, 27 minutes, 40 seconds West, and a chord length of 77.80 feet to a three-quarter inch diameter rebar with identification cap labeled 2332 to be set; thence through the lands of said Lane Construction Corporation North 35 degrees, 27 minutes, 40 seconds East, a distance of 106.69 feet to the point of beginning, enclosing .96 acres, more or less.

The above described parcel is a portion of lands described in a deed from Edgar J. and Lillian M. Nickerson to The Lane Construction Corporation dated October 26, 1955, and recorded in the Penobscot County Registry of Deeds Book 1506, Page 264.

Bearings are oriented to the Maine Coordinate System of 1983, East Zone. A scale factor of 1.000093 was applied to the grid distances to convert them to ground distances used in this description.

SUBJECT to the right of the Hampden Water District to construct and maintain water lines within a strip of land located on the westerly line of the above described parcel, said strip being 30' in width and shown on the Final Map Plan, entitled Dance Hall Subdivision, approved by the Hampden Planning Board and recorded in Penobscot County Registry of Deeds Map File 2008-27 on March 26, 2008. Said easement to the Hampden Water District to be recorded.

The Grantee's mailing address is 106 Western Avenue, Hampden, Maine 04444.

WITNESS my hand and seal this ____ day of _____, 2011.

WITNESS:

THE LANE CONSTRUCTION CORPORATION

By: _____
Name: _____
Title: _____
Hereunto Duly Authorized

STATE OF MAINE
PENOBSCOT COUNTY

_____, 2011

Then personally appeared the above-named _____ in his aforesaid capacity, and acknowledged the foregoing instrument to be his free act and deed in said capacity, and the free act and deed of The Lane Construction Corporation.

Before me,

Notary Public/Attorney-at-Law

EASEMENT

THE LANE CONSTRUCTION CORPORATION, a Connecticut corporation having a place of business in Bangor, Penobscot County, Maine, and having a mailing address of 90 Fieldstone Court, Cheshire, Connecticut, 06410, as a gift grants to the **TOWN OF HAMPDEN**, a municipal corporation under the laws of the State of Maine with a mailing address of 106 Western Avenue, Hampden, 04444, with warranty covenants the perpetual right and easement to repair, maintain, replace and use a storm water catch basin located on the following portion of land of The Lane Construction Corporation situated in Hampden, Penobscot County, Maine, bounded and described as follows:

Being a 25' x 25' area located on the southerly side of Carver Road, so-called and in the northwest corner of Lot 7 as shown on the Final Map Plan, entitled "Dance Hall Subdivision", approved by the Hampden Planning Board and recorded in the Penobscot County Registry of Deeds in Map File 2008-27 on March 26, 2008.

The Grantee's mailing address is 106 Western Avenue, Hampden, Maine 04444.

IN WITNESS WHEREOF, The Lane Construction Corporation has caused this instrument to be signed in its corporate name as an instrument under seal by

_____, its _____, hereunto duly authorized, this _____ day of _____, 2011.

WITNESS:

**THE LANE CONSTRUCTION
CORPORATION**

Name:

Its:

Hereunto Duly Authorized

STATE OF MAINE
PENOBSCOT COUNTY

_____, 2011

Then personally appeared the above-named _____, in his
aforesaid capacity, and acknowledged the foregoing instrument to be his free act and deed in said
capacity, and the free act and deed of The Lane Construction Corporation.

Before me,

Notary Public/Attorney-at-Law